

85<sup>th</sup> Legislative Session – 2010

Committee: House Education

Wednesday, February 10, 2010

P - Present  
E - Excused  
A - Absent

Roll Call

P Bolin  
P Brunner  
P Elliott  
P Fargen  
P Hamiel  
P Hunt  
P Killer  
P Olson (Ryan)  
P Schlekeway  
P Sly  
P Sorenson  
P Thompson  
P Vanneman  
P Van Gerpen, Vice-Chair  
P McLaughlin, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Ed McLaughlin.

MOTION: TO APPROVE THE MINUTES OF FEBRUARY 3, 2010

Moved by: Elliott  
Second by: Sly  
Action: Prevailed by voice vote.

HB 1152: require the Department of Education to develop a framework for entrepreneurship education.

Presented by: Representative Shantel Krebs (Handouts: #1, #2)

Proponents: Dick Tieszen, Rapid City School District  
Dick Tieszen, Sioux Falls School District

MOTION: DO PASS HB 1152

Moved by: Schlekeway  
Second by: Brunner  
Action: Prevailed by roll call vote. (14-0-1-0)

Voting Yes: Bolin, Brunner, Elliott, Fargen, Hamiel, Killer, Olson (Ryan), Schlekeway, Sly, Sorenson, Thompson, Vanneman, Van Gerpen, McLaughlin

Excused: Hunt

HB 1129: provide for the early reinstatement of a student expelled from school under certain circumstances.

Presented by: Representative Manny Steele  
Proponents: Wade Pogany, Department of Education  
Wayne Lueders, Associated School Boards of SD  
Dianna Miller, Large School Group  
Dennis Champ, SD School Administrators

MOTION: DO PASS HB 1129

Moved by: Van Gerpen  
Second by: Schlekeway  
Action: Prevailed by roll call vote. (13-1-1-0)

Voting Yes: Brunner, Elliott, Fargen, Hamiel, Killer, Olson (Ryan), Schlekeway, Sly, Sorenson, Thompson, Vanneman, Van Gerpen, McLaughlin

Voting No: Bolin

Excused: Hunt

HB 1160: allow a home school student to participate in the opportunity scholarship program under certain circumstances.

MOTION: AMEND HB 1160

1160ca

On the printed bill, delete everything after the enacting clause and insert:

" Section 1. That § 13-55-31 be amended to read as follows:

13-55-31. In order to be eligible for a South Dakota opportunity scholarship award, a student shall:

- (1) Be a resident of South Dakota at the time of graduation from high school or completion of alternative instruction provided pursuant to § 13-27-3;
- (2) Have a composite score of ~~24~~ 26, or higher, on the test administered by ~~the American College Testing Program~~ ACT, Incorporated, or an equivalent score as determined by the Board of Regents on the Scholastic Assessment Test. The student shall take the ACT or SAT test before beginning postsecondary education;
- (3) ~~Meet the high school course requirements for graduation from the distinguished high school program as provided in section 24:43:11:05 of the Administrative Rules of South Dakota as in effect on January 1, 2008~~ Achieve ACT college readiness benchmark scores equaling or exceeding 18 for English, 21 for Reading, 22 for Math, and 24 for Science, or such equivalent measures as determined by the Board of Regents on SAT results;
- (4) Attend a university, college, or technical school that is accredited by the North Central Association of Colleges and Schools and that provides instruction from a campus located in South Dakota; and
- (5) Enter into the program within five years of graduation from high school, or completion of alternative instruction provided pursuant to § 13-27-3, or within one year of the student's release from active duty with an active component of the armed forces if the release is within five years of the student's graduation from high school, or completion of alternative instruction. If a student attends full-time a regionally accredited university, college, or technical school located outside South Dakota and within two years following high school graduation, or completion of alternative instruction, or within two years following release from active military service returns to the state to attend full-time a regionally accredited university, college, or technical school, the student is eligible to receive a partial award.

A student is eligible to participate in the South Dakota opportunity scholarship program for the

equivalent of four academic years (eight consecutive spring and fall terms) or until the attainment of a baccalaureate degree, whichever comes first. However, the executive director of the Board of Regents may grant exceptions to the continuous enrollment requirements for good cause shown.

A student who would have been eligible for the scholarship, but who applies after completing one or more semesters of full-time work at an accredited institution, may be admitted to the program only if the student has complied with the same grade point and credit hour requirements that would apply to program participants. Admission granted under these circumstances may not be retroactive, and eligibility for participation in the program shall be reduced by one semester for each semester of work completed prior to admission to the program.

Section 2. That § 13-55-34 be amended to read as follows:

13-55-34. In order to maintain eligibility, a student shall:

- (1) Maintain a cumulative 3.0 grade point average on a 4.0 scale. Cumulative grade point average shall be calculated after the second semester and every semester thereafter. The student shall complete consecutive spring and fall terms in order to remain eligible for continuation of the scholarship program from term to term. A student whose cumulative grade point average falls below 3.0 on a 4.0 scale shall forfeit the scholarship for the subsequent semester and for subsequent semesters until the student has reestablished eligibility. To reestablish eligibility, the student shall comply with all course load, enrollment, and proficiency examination requirements for continued eligibility stated in §§ 13-55-30 to 13-55-35, inclusive, and the student shall achieve a cumulative grade point average of 3.0, or greater, on a 4.0 scale. The scholarship shall be reinstated beginning the semester following that in which the student achieves a cumulative grade point average of 3.0, or greater, on a 4.0 scale. Reinstatement of a scholarship does not extend the time allowed under the scholarship program; any scholarship award forfeited cannot be reclaimed after a student has regained eligibility. A student whose cumulative grade point average falls below 3.0 on a 4.0 scale a second time forfeits the scholarship for all subsequent semesters; and
- (2) ~~Complete fifteen credit hours of instruction per semester. The student shall enroll in and complete at least fifteen credit hours of instruction in each consecutive spring and fall term. Earn thirty-two credit hours prior to the beginning of the second year of instruction, sixty-four credit hours prior to the beginning of the third year of instruction, and ninety-six credit hours prior to the fourth year of instruction.~~ If the executive director of the Board of Regents determines that a student's failure to enroll or to maintain continued enrollment occurred as a direct result of legitimate factors outside the student's control, or has resulted from the student's participation in an activity that in the executive director's judgment provides knowledge or experience that will enhance the student's academic pursuits, the executive director may extend the student's eligibility to participate

in the program for up to two additional years, if the student does not enroll in a noneligible institution;~~and~~

- ~~(3) Sit for and pass all sections of a college proficiency exam as required by Board of Regents Policy Number 2.28 as in effect on January 1, 2003, at the end of the sophomore year. The Board of regents may review and adjust the proficiency examinations administered in keeping with sound academic practice. If such changes are made, the Board of Regents shall notify all eligible institutions of new testing standards or requirements. If the student fails to pass the proficiency examinations the first time, eligibility is forfeited for continuation in the scholarship program.~~

Section 3. This Act is effective on July 1, 2011."

Moved by: Bolin  
Second by: Schlekeway  
Action: Prevailed by voice vote.

Presented by: Representative Dan Lederman  
Proponents: Barb Bishop, SDCHE  
Rachael Mairose, Self, Kimball  
Rebecca Pease, Self, Centerville  
Jack Warner, SDBoard of Regents  
Tom Oster, Secretary Department of Education  
Opponents: Jim Hutmacher, SD Coalition of Schools  
Jim Hutmacher, Mid Size Schools  
Dick Tieszen, Rapid City School District  
Dick Tieszen, Sioux Falls School District  
Dick Tieszen, Technical Institutes  
Sandra Waltman, SD Education Association  
Wayne Lueders, Associated School Boards of SD

MOTION: WITHDRAW PREVIOUS ADOPTION OF AMENDMENT 1160CA

Moved by: Van Gerpen  
Second by: Olson (Ryan)  
Action: Prevailed by roll call vote. (12-2-1-0)

Voting Yes: Elliott, Fargen, Hamiel, Killer, Olson (Ryan), Schlekeway, Sly, Sorenson, Thompson, Vanneman, Van Gerpen, McLaughlin

Voting No: Bolin, Brunner

Excused: Hunt

MOTION: AMEND HB 1160

1160cb

On page 1, line 11, of the printed bill, delete "twenty-" and insert "twenty-four".

On page 1, line 12, delete "six".

Moved by: Sly  
Second by: Van Gerpen  
Action: Failed by voice vote.

MOTION: DO PASS HB 1160

Moved by: Brunner  
Second by: Van Gerpen  
Action: Prevailed by roll call vote. (9-6-0-0)

Voting Yes: Brunner, Hamiel, Hunt, Olson (Ryan), Schlekeway, Sly, Sorenson, Van Gerpen, McLaughlin

Voting No: Bolin, Elliott, Fargen, Killer, Thompson, Vanneman

HB 1247: provide for the establishment of school administration regions and to provide for the sharing of certain school administrators and school service specialists among school districts.

Presented by: Representative Jacqueline Sly  
Opponents: Larry Johnke, Self, Irene, Wakonda

THE CHAIR DEFERRED HB 1247 UNTIL FRIDAY, FEBRUARY 12, 2010

MOTION: ADJOURN

Moved by: Hunt  
Second by: Killer  
Action: Prevailed by voice vote.

Jeanette Black  
Committee Secretary

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Ed McLaughlin, Chair